

**Statement by Thomas K. Donahue
to the
Congress of the United States
House of Representatives
Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy and Human Resources**

**Fiscal Year 2007 Drug Budget and the Byrne Grants, HIDTA, and other law
enforcement programs:**

"Are we jeopardizing federal, state and local cooperation?"

May 23, 2006

Chairman Souder, Ranking Member Cummings, and distinguished members of the Committee: I am honored to appear before you today to discuss the Chicago HIDTA's concerns with the Administration's FY07 budget proposal that contains unacceptable budget cuts for the HIDTA Program, Byrne and Justice Assistance Grant programs and the transfer of the HIDTA Program to the United States Department of Justice (DOJ). I appear before you with 37 years of law enforcement experience, 10 years experience as a narcotics investigator and 12 years experience as a prosecutor concentrating on organized crime, narcotics cases, and related violent crimes. I have had the honor of serving as the director of the Chicago HIDTA since August 2000. My testimony today will attempt to answer the question posed by the Committee:

"How did the 2006, 2007 budget process effect the Chicago HIDTA?"

In doing so I will provide you with an overview of the HIDTA program and the impact of the uncertainty of HIDTA on the Chicago region. The impact of the transfer to the Department of Justice is stated in Attachment #1 of this statement.

In 1988, Congress wisely recognized the importance of coordinating federal, state and local law enforcement agencies to effectively address the nation's drug threat. Congress established the High Intensity Drug Trafficking Area (HIDTA) Program to provide coordination of drug enforcement efforts in critical regions of the country. This coordinated effort was necessary due to competing strategies within the federal, state, and local law enforcement community.

Building on the concept that the country faces a national drug abuse epidemic which is in reality a network of related and unrelated regional and local drug abuse problems and the markets that supply them, HDTAs address regional drug problems based upon a unique threat assessment process. Each HIDTA develops its own strategy consistent with and complimentary to the National Drug Control Strategy. HIDTA Executive Boards implement their strategies by funding structured and formal initiatives (task forces), each with a mission that best uses its particular expertise and addresses a particular threat. A targeted strategy, implemented locally, produces greater immediate impact, while at the same time provides avenues for further investigation into national and international trafficking groups.

HIDTA Executive Boards, comprised of an equal number of federal, state and local law enforcement executives, meet regularly to govern each HIDTA. The HIDTA

management structure creates a level playing field among federal, state and local partners who understand all aspects of law enforcement and put the interests of the HIDTA above their own. Executive Boards hire directors who are highly experienced law enforcement professionals. Directors act as neutral brokers for participating agencies and are charged with carrying out the collective policy decisions of their Executive Boards. This neutrality fosters an innovative program, immune to turf battles. No other program of the federal government that integrates state, local and federal assistance and financial awards, allows this level of local oversight and direction. This is the first time in history state and local law enforcement has been empowered to manage drug investigations in their region.

The HIDTA program is in the forefront of promoting innovative methods and ideas. The evolution of the HIDTA intelligence subsystem initiative is an example. Historically, the sharing of intelligence among law enforcement agencies has been abysmal despite decades of attempts by federal agencies to create intelligence sharing centers. The program requirements of establishing intelligence centers within each HIDTA and mandating federal, state and local participation has resulted in the sharing of intelligence on an unprecedented scale. The HIDTA.net/ riss.net/LEO information system architecture electronically links each HIDTA. Each HIDTA has direct access to multiple agency and commercial databases, and provides a full range of analytical services. HIDTA Investigative Support Centers (ISCs) now stand as object lessons in interagency cooperation, collaboration and coordination. HIDTA ISCs have played an integral role in numerous noteworthy criminal investigations.

Other innovations include:

1. Event deconfliction - HIDTA pioneered systems that allow undercover officers to schedule a time and location for events such as stakeouts, drug buys, execution of search and arrest warrants and sweeps, etc., and to determine if the event they are scheduling would conflict with a different agency for a similar time and location. Event deconfliction is a requirement within the program, and is available to non-HIDTA agencies as well. This system is critical to officer safety.
2. Target deconfliction - Agencies have wasted countless resources investigating the same targets because of systemic difficulties or reticence to share information. HDTAs have developed systems that allow agencies to share targeting information, and working with DEA and other agencies have developed a National Virtual Pointer System that agencies are now using. HIDTA credibility as a neutral entity has fostered this progress and the intelligence subsystems are making it work.
3. National Clan Lab Database - Built in partnership with the El Paso Intelligence Center, this was the first federal law enforcement database to allow direct state/local access. Many methamphetamine labs are rural in nature. Many HIDTA-funded task forces who address clan lab investigations utilize this database for input and enforcement intelligence.
4. Electronic intercept capabilities - HDTAs have developed centralized systems that have revolutionized technical investigative capabilities around the country.
5. RISS/HIDTA partnership -HDTAs are members of the Regional Information Sharing Systems and have used the RISS to establish HIDTA.net, a secure system which connects all HDTAs electronically.
6. Operation COBIJA - a multi-agency, multi-state interdiction project hailed as the best such effort ever developed.
7. Training - HDTAs have leveraged existing training programs by working with them

to bring training to the officer, rather than requiring officers to travel. Tens of thousands of local/state/federal officers have benefited from this coordinated low cost training.

Each HIDTA has its own examples of how regional law enforcement has changed for the better because of its existence.

The HIDTA program has enjoyed wide acceptance by the heads of state and local law enforcement agencies for two important reasons. Under HIDTA, state and local heads of agencies join with their federal counterparts on an equal basis to determine the direction of their individual HDTAs. There is no other cooperative endeavor of this magnitude in law enforcement today. Secondly, the HIDTA program has been able to project a degree of separation from other federal agencies by its placement within the Office of National Drug Control Policy (ONDCP), a factor which has fostered willing state and local participation.

HIDTA's most important contribution to the war on drugs is the partnerships it has nurtured among participating agencies. These partnerships, developed over years, have become an institutionalized part of the program. This has led to leveraging of resources among its participants, which would not have occurred under any other program. This leveraging of resources and fiscal flexibility will likely be eliminated by placing HIDTA under the Department of Justice. Furthermore, placing HIDTA within a department that gives the perception it is under the control and direction of a federal law enforcement entity would certainly influence state and local participation and threaten collaborative partnerships that have been nurtured by the HIDTA model. If the HIDTA program is moved from the Office of National Drug Control Policy and the Executive Office of the President, it will give the wrong message to law enforcement and diminish the importance of the War on Drugs in the eyes of the public.

CHICAGO AREA IMPACT/Comments

In 2005, Chicago HIDTA initiatives seized 5,199 kilograms of cocaine, an increase of 128% over 2004; 24 kilograms of heroin and 12,992 kilograms of marijuana (both slightly decreased from 2004) and \$16,521,392.00, an increase of 80% over 2004 money seizures. **The drug war is ongoing in Chicago.**

Chicago is a major U.S. transshipment hub for poly drug trafficking organizations. As a Midwest gateway, it serves as a distribution center for vast quantities of heroin, cocaine, marijuana and all types of illegal drugs. Multikilogram to ton quantities of these drugs are transported overland to Chicago primarily from Mexico, California and southwestern states in private and commercial vehicles. Once in Chicago drug shipments are typically broken down into smaller quantities for further distribution in or near the city. Additional quantities are transported to other Midwestern cities such as Detroit, Milwaukee and St. Louis, as well as to many cities and towns in the eastern United States for distribution. Mexican Drug Trafficking Organizations and criminal groups are the principal transporters of most illicit drugs to Chicago, particularly cocaine, marijuana, Mexico produced heroin and also significant quantities of South American heroin. Once in the city, the extensive network of

organized street gangs, an estimated 65 gangs with 68,000 members, control nearly all of the retail drug distribution in Chicago proper and its surrounding suburbs. The same routes and methods are used to transport drug proceeds back to source areas.

HIDTA helps to coordinate drug enforcement efforts for the City of Chicago and surrounding counties. Law enforcement partnerships with HIDTA have enabled the investigation, apprehension and prosecution of individuals responsible for distributing a broad array of dangerous drugs and causing the drug related violence manifested in home invasions, shootings, and kidnappings. Moreover, it has helped the Chicago Police Department and other law enforcement agencies build drug conspiracy cases against drug trafficking organizations and has supported complex investigations that have resulted in indictments both at the local and Federal levels.

The Chicago Police Department (CPD) has worked closely with HIDTA since 1995 when an initiative was formed to target the Gangster Disciples Street Gang. Since then, the working relationship between HIDTA and the Chicago Police Department has succeeded in disrupting the major narcotics trafficking rings and the distribution networks that are responsible for the deadly nexus of drugs, gangs and guns that have been a bane on Chicago. Reduction in drug crime has been due, in large part, to the successful collaborative model developed by HIDTA. This model brings local, state and federal law enforcement together to focus on a common mission—the disruption of drug trafficking. Chicago has not only benefited from this collaboration, it has learned that it is a smarter way of doing police business in urban crime areas and has clearly helped to make the city a safer place.

Through their role as a clearinghouse for sharing strategic information, HIDTA has provided the Chicago Police Department with the ability to identify, track and target trafficking groups. The Chicago Police Department and HIDTA have collaborated on numerous successful drug initiatives. One such initiative is the Street Corner Conspiracy Initiative. This initiative clears open air street corner drug markets, reclaims them from drug dealers, and restores community safety, thus giving the community a quality of life they haven't enjoyed in many years. Initiative operations in 2004 resulted in 35 investigations and 548 arrests as well as participation in four federal drug conspiracies with 198 arrests. If this one initiative did not materialize because HIDTA was unavailable, the city of Chicago would still be imperiled by 746 drug dealers plying their trade and terrorizing citizens. In 2005 the Chicago HIDTA Investigative Support Center (ISC) supported 47 Chicago Police Department street corner conspiracies with similar results. HIDTA has also coordinated specific enforcement initiatives against local street gangs such as the Gangster Disciples, Vice Lords, Latin Kings, Black Disciples, Four Corner Hustlers, Latin Disciples and numerous others who have created sophisticated networks for the distribution of drugs.

From September, 2002 to May, 2004 HIDTA partnered with the Chicago Police Department and state and federal agencies in addressing what may be the most serious drug threat in Chicago - heroin. HIDTA sponsored Operation DAYTRADER culminated in federal charges against 48 members of the violent Mafia Insane Vice Lords Street Gang and state charges against an additional 55 members. Because of the volume of information gathered from this operation, the initiative and the Chicago HIDTA Investigative Support Center (ISC) developed a Chicago Heroin Tracking Database, which tracks heroin arrests, seizures and other relevant data.

Furthering enforcement activities against organized Chicago street gangs, HIDTA has dedicated three local/state/federal populated initiatives to concentrate on the "Main 21", the twenty one organized street gang leaders identified as being the most violent and influential in drug distribution.

Drug activity fosters violent crime. In 2001, 2002 and 2003 Chicago ranked second, first and second in the number of murders in the United States. Fifty per cent (50%) of these homicides were gang and drug related. Chicago's homicide total for 2004 was almost 25% lower than in 2003. The 2005 homicide totals also decreased, bringing the Chicago homicide figures to a 40 year low. Innovative and concentrated strategies instituted by Chicago Police Department Superintendent Philip Cline, including HIDTA sponsored initiatives such as the Street Corner Conspiracy Initiative, West Side Heroin Initiative, and the Drug Related Violent Crime Initiative, have been credited with being instrumental in this reduction. There is little question that citizens applaud these enforcement initiatives for making the streets safer and allowing families to once again enjoy life in their communities.

Chicago HIDTA has also partnered with the Cook County Sheriffs Police Department to develop the Cook County Jail Initiative. The Cook County Jail is one of the largest single site pre-trial holding facilities in the United States, with an average daily count of at least 9,000 male and female detainees. This initiative brings together Cook County Sheriffs Police Department personnel and Chicago Police Department personnel as well as a working relationship with the Illinois Department of Corrections to gather intelligence from jail inmates as to gang and drug trafficking activity and disrupt the management of these activities by incarcerated gang leaders. HIDTA has designed an informational gang database to collate this information. Relevant information is shared with law enforcement agencies in affected jurisdictions.

HIDTA has also concentrated drug enforcement efforts in the surrounding areas of Cook, Grundy, Kendall and Will counties. Chicago based street gangs have migrated to these areas due to HIDTA successes in Chicago and a desire to expand markets. HIDTA initiatives have been developed to counter these threats.

Because it is a major destination and transshipment hub for poly drug trafficking organizations, HIDTA sponsors interdiction initiatives that have become nationally acclaimed. The Illinois State Police led Narcotics and Currency Interdiction Unit (NARCINT) uses traditional and non-traditional investigative practices involving surveillance and complex intelligence analysis to identify, target and interdict illicit drug and currency shipments generated by drug trafficking/money laundering organizations. This includes rapid response to intelligence regarding in-transit illicit drug shipments traveling through Illinois via motor carrier and follow up investigations of drug shipments seized in other jurisdictions and destined for delivery in Illinois. The Narcotics and Currency Interdiction Unit works in close concert with the Southwest Border COBIJA operation and was the first non-traditional border state to be included in this highly successful drug interdiction effort.

The Chicago Police Department led Package Interdiction Team (PIT) targets the shipment of illegal drugs sent via government and private package/parcel carrier services. Initiative personnel inspect and profile suspicious packages at shipping facilities. Upon discovering illicit drugs, they target the addressee/receiver and take enforcement action. Information gathered regarding other parts of the chain of distribution, including shippers/receivers,

shipping/transportation companies and package handlers is acted upon or shared with other law enforcement agencies. Their expertise has led to numerous speaking engagements and training exercises throughout the country and the 2002 Office of National Drug Control Policy Outstanding Interdiction Effort Award.

The Internal Revenue Service led HIDTA sponsored Money Laundering and Financial Crimes Initiative has recently uncovered a scheme to launder drug proceeds. Over \$100 million in mortgage fraud has been identified to date and this amount is expected to increase substantially with further investigation totally supported by the analytical skills of the HIDTA Investigative Support Center.

In addition to enforcement initiatives, much of what has been accomplished through HIDTA has been possible because of drug intelligence developed by the HIDTA Investigative Support Center. Very few local jurisdictions have the capacity to develop this level of drug intelligence. Consequently, they rely on the astute analysis and real time information from the intelligence operations of HIDTA that are key to advancing our law enforcement goals. The Chicago HIDTA Investigative Support Center provides analytical and case support not only for HIDTA initiatives but also for other law enforcement agencies that lack the resources and expertise to initiate and successfully conclude drug enforcement operations. The Investigative Support Center has also acquired and developed the SAFETNet system, a state of the art target and event deconfliction system essential to officer safety in drug investigations and prevention of duplication of investigative efforts. Chicago HIDTA has provided SAFETNet to five surrounding states.

HIDTA has ensured that law enforcement drug operations have consistent direction, follow policy guidelines, engage in strategic planning, and communicate across organizations and jurisdictions. These factors give law enforcement an advantage over criminals that would be difficult to achieve if working independently. HIDTA initiatives have been instrumental in assisting law enforcement agencies with:

- Accessing an "all source" counter-drug Investigative Support Center and source of counter-drug intelligence products, including a heroin offender tracking base.
- Disrupting distribution networks that supply organized street gangs in the greater Chicago metropolitan area.
- Continuing to target the numerous "open air drug markets" operated by street gangs in Chicago, especially the heroin markets on the West side.
- Interdicting drug and currency shipments via the highway system and government and/or private carriers.
- Disrupting organizations involved in laundering illicit money from the drug trade and enabling the development of tax cases against dealers.
- Financial analysis directed at seizing assets acquired through illicit drug proceeds.

- Identifying the international sources of supply of drug trafficking groups operating in Chicago.
- Case and trial support as well as post case seizure analysis.

All of these activities speak to the comprehensive strategy that is required for intervening in drug crime. Each HIDTA has developed a cohesive, comprehensive program combining regional, and locally focused initiatives to implement the national mission of countering the drug threat.

The drug problem in the Chicago area has dramatically increased over the past year. The Illinois Department of Human Services has reported dramatic increases in the number of people requesting treatment for heroin and cocaine abuse. The Office of Alcoholism and Substance Abuse noted that in 2005 there were 38,030 admissions for treatment from heroin addiction and 20,116 admissions for treatment of cocaine addiction in Cook County alone. This established an increase of 54% for heroin and 11% for cocaine.

Since August of 2005 it has been discovered that Fentanyl has been distributed in the heroin markets in Chicago. Fentanyl is a Schedule II substance under the Controlled Substances Act. The drug has shown up as pseudo heroin and also as an adulterant used with heroin. Fentanyl is synthetic opioid, more than 100 times more potent than morphine. The use of this drug has left unsuspecting heroin abusers the victims of overdose and death. In the last six months there have been more than 100 overdoses leading to more than 20 deaths from the use of Fentanyl.

Conclusion: HIDTA clearly represents a model for leveraging all resources in order to provide comprehensive approaches for stopping drug crime. The joint leadership of the HIDTA Executive Board has been instrumental in ensuring that law enforcement engages in strategic planning and coordination of efforts to disrupt drug markets, halt the proliferation of criminal networks, and reduce drug-related deaths. Without the ability to maintain the operational collaboration made possible by HIDTA resources, local law enforcement faces a risk of returning to the days when cooperation was episodic, delivered on a case-by-case basis, and found to be generally ineffective in disrupting drug trafficking. Under these circumstances, it will be impossible to maintain declining crime rates and prevent drug-related violence from again spiraling out of control.

The Chicago HIDTA has proven to have an established and effective Investigative Support Center (ISC). Since its inception the Chicago HIDTA ISC has clearly defined the intelligence component for its enforcement initiatives. The Chicago HIDTA has lost its focus since the proposal to reduce the HIDTA budget and move it to the Department of Justice. Within the last year, the Chicago HIDTA ISC staff has experienced a tremendous negative impact due to the uncertainty of the HIDTA program.

The jeopardy of the HIDTA program has caused a loss in ISC personnel. The loss of five experienced analysts during 2005 resulted in unreasonable workloads for the remaining analysts. The inability to provide quality work products, due to heavy workloads, and job insecurity has caused a great deal of stress and low morale on the ISC staff.

The ISC's intelligence program has had a solid reputation for novel methods to support law

enforcement. The momentum for creativity and innovation has come to a screeching halt. During 2005, the ISC has had to turn down 40 local drug conspiracies, several federal wire tap investigations and countless law enforcement inquiries. The intelligence element for the following multi-agency law enforcement initiatives has ended or has been severely compromised due to the lack of experienced analysts at the ISC:

- Package Interdiction Team
- Domestic Highway Interdiction
- North Suburban Drug Units
- South Suburban Drug Units
- West Side Heroin
- Drug Related Violent Crimes
- Money Laundering and Financial Crimes

Within the last year agency intelligence systems and personnel are not being offered to the ISC by federal, state or local law enforcement agencies. The Chicago ISC has not been invited to participate with newly created intelligence groups such as the Illinois State Police STIC Center and the federal “fusion” centers. Agencies do not want to commit to a program that may not exist in the future. Clearly the lack of confidence in the HIDTA program has undermined its purpose. Clearly the President’s proposed 2007 budget would impair the HIDTA program.

Thank you for this opportunity to testify before you today.

Attached is one document submitted by the National HIDTA Directors Association

1. The HIDTA Program Should Remain at ONDCP.

